



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 14 2014

REPLY TO THE ATTENTION OF:
WW-16J

Karen R. Diver, Chairwoman
Fond du Lac Band of Lake Superior Chippewa
1720 Big Lake Road
Cloquet, Minnesota 55720

Dear Chairwoman Diver:

The U.S. Environmental Protection Agency is initiating consultation with the Fond du Lac Band regarding the Band's concerns about potential impacts to tribal water quality related to U.S. Steel's proposed Minntac Mine Pit Extension. The U.S. Army Corps of Engineers has proposed to issue a CWA Section 404 permit for discharges of dredge or fill material associated with the Minntac Mine Extension. Minnesota Pollution Control Agency issued a CWA 401 certification for the project on January 22, 2014. In your February 20, 2014 letter to Susan Hedman, Regional Administrator, U.S. Environmental Protection Agency, Region 5, you raised concerns about potential impacts to the Band's water resources from the Minntac proposed Mine Pit Extension.

EPA invites you and your designated consultation representative(s) to participate in consultation with EPA regarding this matter. Consultation may take place via a telephone conference, where possible, or by another means as appropriate. EPA would like to begin consultation within the next two weeks, if possible. Please contact EPA staff in via email to indicate if you would like to consult on this matter. If you wish to consult, we will work with you or your designated representatives to determine a preferred method for consultation. This process will be conducted in accordance with the *EPA Policy on Consultation and Coordination with Indian Tribes* (www.epa.gov/tribal/consultation/consult-policy.htm).

For questions regarding this consultation process, please contact Peter Swenson, at swenson.peter@epa.gov, or 312-886-0236.

I look forward to hearing from you on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tinka G. Hyde".

Tinka G. Hyde
Director, Water Division